

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
LARONDA R. MARTIN  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
LaRonda\_Martin@fd.org  
6 Attorney for Lawrence Patrick Magana  
7

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 LAWRENCE PATRICK MAGANA,  
15 Defendant.

Case No. 2:17-cr-00228-KJD-NJK

**SECOND UNOPPOSED MOTION TO  
EXTEND SELF-SURRENDER  
DATE<sup>1</sup>**

16 Defendant Lawrence Patrick Magana, by and through his attorney of record, LaRonda  
17 Martin, Assistant Federal Public Defender, moves this Court pursuant to 18 U.S.C. § 3143(a)(1)  
18 to extend Mr. Magana's self-surrender date to Monday, September 30, 2024, at noon. This  
19 motion is based on the following Memorandum of Points and Authorities.  
20

21 DATED this 31st day of July, 2024.

22 RENE L. VALLADARES  
Federal Public Defender

23 */s/ LaRonda Martin*

24 LARONDA MARTIN  
25 Assistant Federal Public Defender  
26 Attorney for Lawrence Patrick Magana

---

<sup>1</sup> This motion is timely filed as no deadline is applicable.

1 On January 24, 2024, this Court sentenced Mr. Magana to twelve (12) months and one  
2 (1) day in custody, followed by three years on supervised release.<sup>2</sup> The Court further ordered  
3 Mr. Magana to self-surrender to the BOP by May 24, 2024 before 12:00 p.m.<sup>3</sup> Mr. Magana  
4 was designated to serve his sentence at FMC Lexington.

5 On May 2, 2024, Mr. Magana filed a Motion to Extend Self-Surrender Date.<sup>4</sup> He  
6 presented to an emergency department with reports of severe right upper quadrant abdominal  
7 pain.<sup>5</sup> Surgery was conducted to address the medical diagnosis.<sup>6</sup> This Court granted his  
8 motion and the new self-surrender date was extended to August 24, 2024 at noon.<sup>7</sup>

9 On July 10, 2024, Mr. Magana presented to the emergency department with reports of  
10 a left proximal fibula fracture and COVID.<sup>8</sup> Mr. Magana was evaluated by Dr. Rudy Robbe,  
11 an orthopedic surgeon, and he advised that Mr. Magana seek further treatment. On July 30,  
12 2024, Mr. Magana was treated at West Kentucky Orthopedics and Sports Medicine. Dr.  
13 Nicholas Basham, PA opined that he must wear a CAM boot for three additional weeks and  
14 receive physical therapy for the same period. Mr. Magana is expected to follow up in an  
15 additional three weeks to recheck his injury with Dr. Basham.

16 Mr. Magana is requesting to extend his self-surrender date by 30 additional days, to  
17 Monday, September 30, 2024, to allow him to obtain follow-up care and heal from the  
18 fractured fibula.

19 Pursuant to 18 U.S.C. § 3143(a)(1):

20 [t]he judicial officer shall order that a person who has been found  
21 guilty of an offense and who is awaiting imposition or execution  
22 of sentence... be detained, unless the judicial officer finds by

---

23 <sup>2</sup> ECF No. 214.

24 <sup>3</sup> *Id.*

25 <sup>4</sup> ECF. No. 233.

26 <sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> ECF. No. 235.

<sup>8</sup> See Exhibit A.

1 clear and convincing evidence that the person is not likely to flee  
2 or pose a danger to the safety of any other person or the  
community if released under section 3142(b) or (c).

3 The continued application of any condition of supervision requires an individualized,  
4 fact-specific inquiry.<sup>9</sup> Mr. Magana has been on pre-trial release since October 6, 2017.<sup>10</sup>  
5 During that time, he has followed his conditions, attended all scheduled court hearings, and  
6 maintained good contact with his pre-trial officer. Mr. Magana has significant ties to his  
7 community. He resides with his nephew in Kentucky. He is also receiving his medical care in  
8 Hopkinsville, Kentucky.

9 For these reasons, the extension of Mr. Magana's self-surrender date will not create a  
10 flight risk, pose a risk to the public, or interfere with the goals of 18 U.S.C. §§ 3142 and 3143.

11 Undersigned counsel consulted with the government. The government has no  
12 objection to the defense's request to extend Mr. Magana's self-surrender date to September  
13 30, 2024. The Office of Pretrial Release was previously contact and the office advised that  
14 pretrial services supervision was removed in December 2022 due to Mr. Magana's ongoing  
15 medical issues. As such, their office took no position in the first request for an extension.

16 Mr. Magana respectfully requests the Court grant his unopposed motion to extend his  
17 self-surrender date to Monday, September 30, 2024, at noon.

18 DATED this 31st day of July, 2024.

19 Respectfully submitted,  
20 RENE L. VALLADARES  
Federal Public Defender

21 By /s/ LaRonda Martin  
22 LARONDA MARTIN  
23 Assistant Federal Public Defender  
24

---

25 <sup>9</sup> *United States. v. Hir*, 517 F.3d 1081, 1092 (9th Cir. 2008).

26 <sup>10</sup> ECF No. 11.

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 LAWRENCE PATRICK MAGANA,

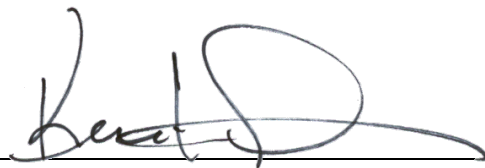
7 Defendant.  
8

Case No. 2:17-cr-00228-KJD-NJK

**ORDER**

9  
10 IT IS THEREFORE ORDERED that the surrender date currently scheduled for Friday,  
11 August 23, 2024 at 12:00 p.m., be vacated and continued to September 30, 2024, at the  
12 hour of 12:00 p.m.

13 DATED August 16, 2024.

14  
15   
16

UNITED STATES DISTRICT JUDGE